

# REQUEST FOR BOARD ACTION

## HENDERSON COUNTY BOARD OF COMMISSIONERS

**Meeting Date:** August 12, 2008

**Subject:** Set Public Hearing on Rezoning Application #R-2008-05-C

**Attachments:** 1. Current Zoning Map  
2. Site Plan

### SUMMARY OF REQUEST:

Rezoning #R-2008-05-C, initiated by the Henderson County Board of Commissioners at the request of the Emergency Services Department, requests that the County rezone approximately 9.98 acres of a 12.03 acre tract of land owned by Henderson County, from an R1 (Residential One) zoning district to a LC-CD (Local Commercial Conditional District). The Subject Area is located in the Foxwood subdivision off Foxwood Drive, and adjacent to the Henderson County Landfill.

Conditional zoning districts are different from traditional zoning districts because they require a site plan for the proposed use(s) of the property and certain conditions or restrictions are placed on the property based on the proposed or allowable use(s). Conditional zoning district decisions are a legislative process subject to the same procedures as traditional zoning districts (See attachment 3).

The County proposes to use the large barn and property for emergency services storage and County government storage. It is expected that this use would generate an average of 1 trip per week and would have little to no impact on the neighborhood. Staff held a neighborhood meeting on April 15, 2008 with approximately 30 residents of the Foxwood subdivision to answer questions and concerns and address issues that the neighbors might have. With the conditional zoning district process, the County can impose limitations upon itself to address neighborhood concerns. With that in mind, only the storage by the county and emergency services would be allowed. Other commercial uses and governmental operations would not be allowed.

The Henderson County Planning Board considered rezoning application #R-2008-05-C at its regularly scheduled meeting on July 17, 2008. During that meeting, the Planning Board voted 6 to 0 to send the Board of Commissioners a favorable recommendation on rezoning application #R-2008-05-C, with modifications to conditions 7.4 and 7.6, to rezone the Subject Area from an R1 (Residential One) zoning district to a LC-CD (Local Commercial Conditional District).

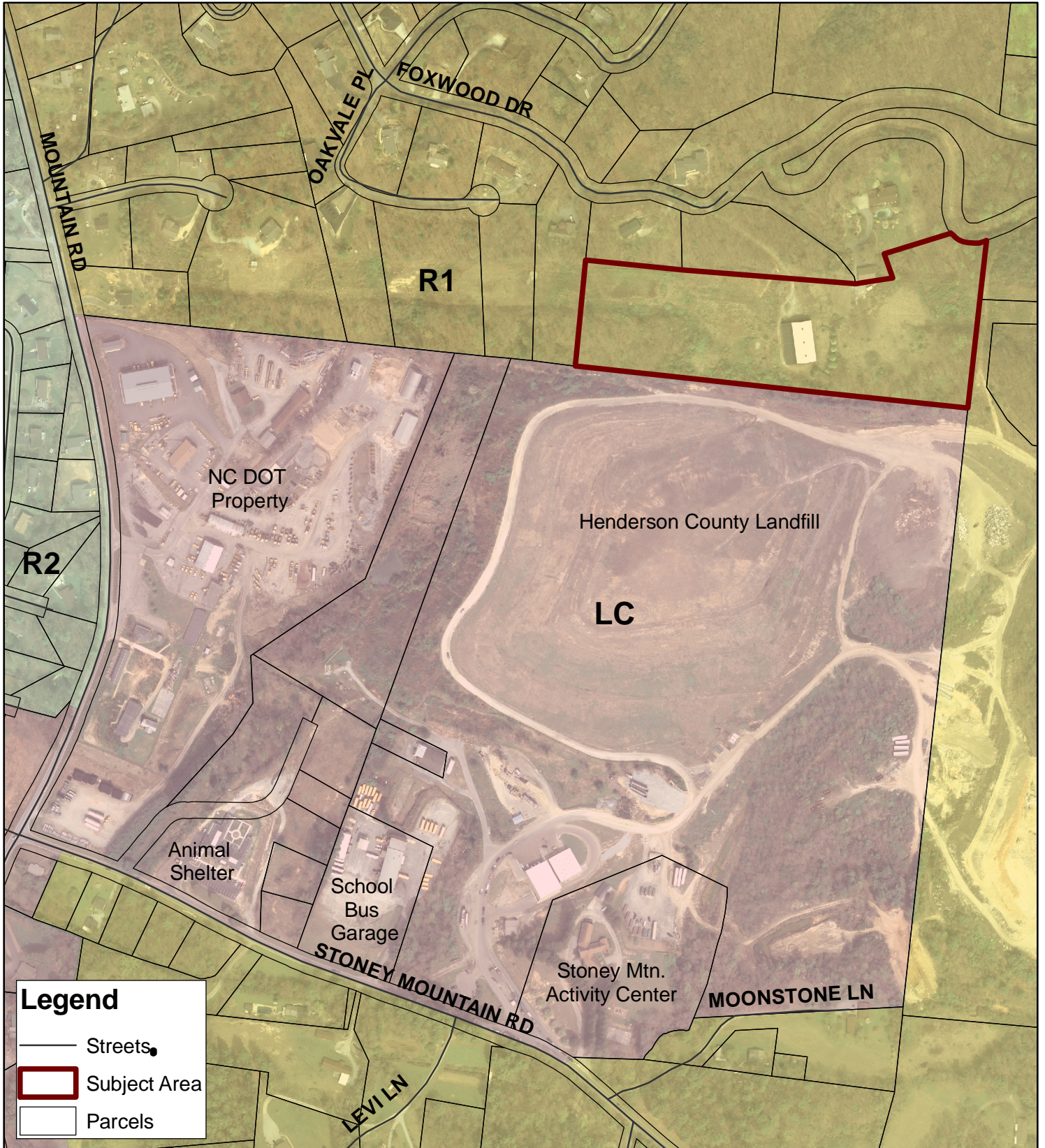
Before taking action on the rezoning application, the Board of Commissioners must hold a public hearing. Staff proposes that the hearing be scheduled for Tuesday, September 2, 2008, at 7:00 P.M.

**BOARD ACTION REQUESTED:**

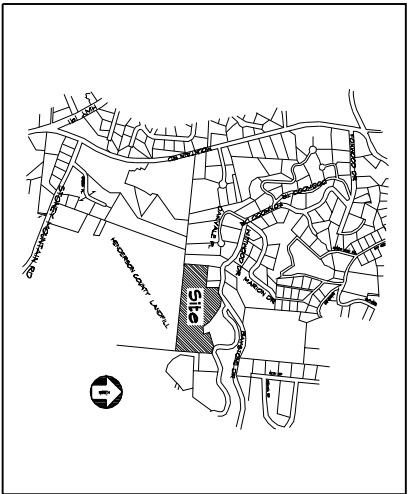
Planning Staff recommends that the Board of Commissioners schedule a public hearing on rezoning application #R-2008-05-C for Tuesday, September 2, 2008, at 7:00 P.M., or schedule a special called meeting on or after that date.

**Suggested Motion:** I move that the Board schedule a public hearing for Rezoning Application #R-2008-05-C for Tuesday, September 2, 2008, at 7:00 P.M.

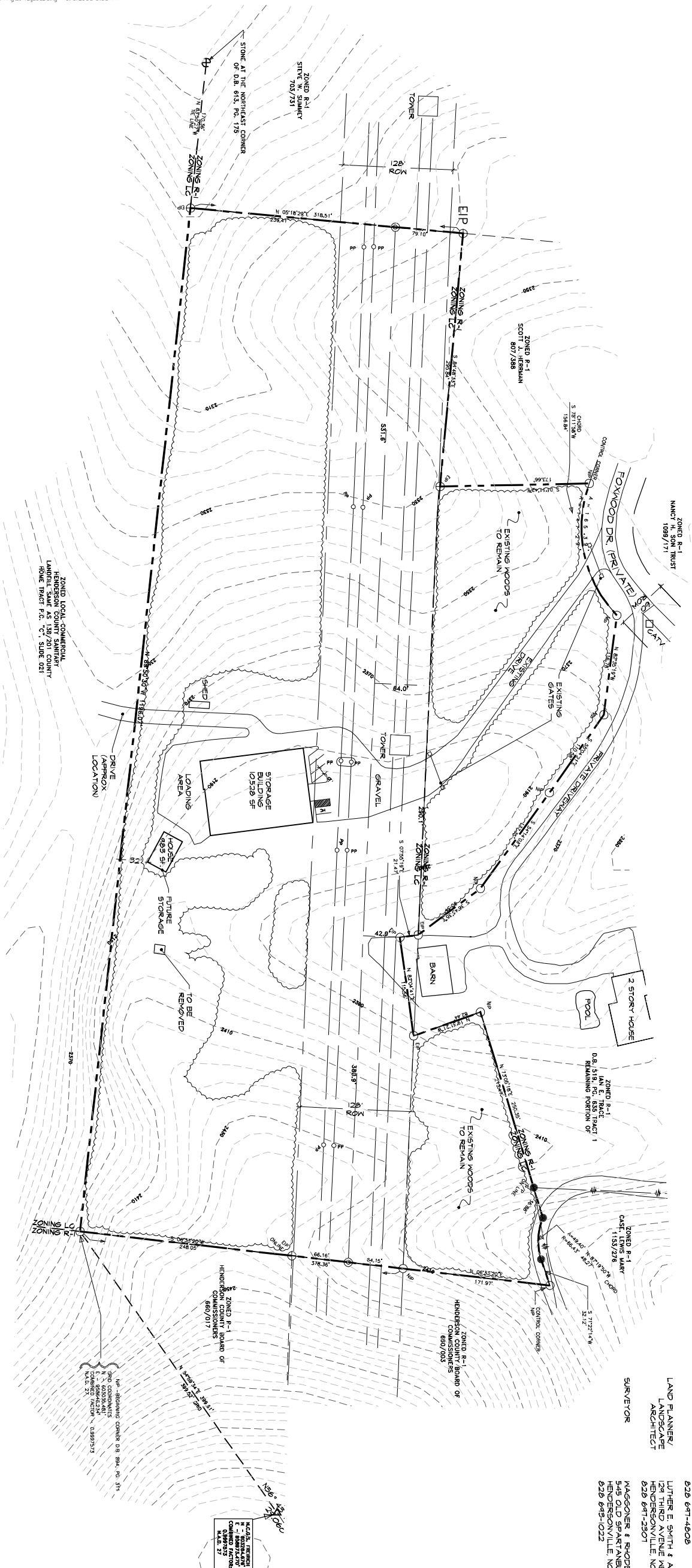
Rezoning #R-2008-05-C  
Residential One (R1) to Local Commercial Conditional District (LC-CD)



0 0.025 0.05 0.1 0.15 0.2 Miles



VICINITY MAP Not to Scale



PROJECT SUMMARY	
Total Project Area	12.16Ac.
Pin No.	4650-83-0246
Existing Zoning	R-1
Proposed Zoning	R-1, Local Commercial

COUNTY GOVERNMENT STORAGE

DEVELOPER/  
APPLICANT  
HENDERSON COUNTY BOARD  
OF COMMISSIONERS  
ONE HISTORIC COURTHOUSE SQUARE  
SUITE 1  
HENDERSONVILLE, NC 28742  
628 697-4808

LAND PLANNER/  
LANDSCAPE  
ARCHITECT  
LUTHER E. SMITH & ASSOCIATES, P.A.  
124 THIRD AVENUE, SUITE  
HENDERSONVILLE, NC 28742  
628 697-2301

SURVEYOR  
MAGGONER & RHODES  
245 OLD SPARTANBURG ROAD  
HENDERSONVILLE, NC 28742  
628 693-0222

# COUNTY GOVERNMENT STORAGE EMERGENCY SERVICES STORAGE FACILITY

HENDERSON COUNTY, NORTH CAROLINA

**LUTHER E. SMITH & ASSOCIATES, P.A.**  
LAND PLANNING  
LANDSCAPE ARCHITECTURE  
124 THIRD AVENUE, SUITE  
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**NORTH CAROLINA**  
REGISTERED LANDSCAPE ARCHITECT  
**LUTHER E. SMITH**  
281  
SINCE 1975

**NORTH CAROLINA**  
REGISTERED PROFESSIONAL SURVEYOR  
**LUTHER E. SMITH & ASSOCIATES, P.A.**  
C-47

Date	Drawn By
07-01-2008	RMS
08-14-08	Checked By
08-14-08	LSB

MAJOR SITE PLAN

S-1  
OF - 1